



DATE OF DETERMINATION	25 July 2024
DATE OF PANEL DECISION	23 July 2024
DATE OF PANEL MEETING	16 July 2024
PANEL MEMBERS	Garry Fielding (Chair), Donna Rygate, Graham Brown, Rick Warren
APOLOGIES	Daryl Jardine
DECLARATIONS OF INTEREST	Nil

Papers circulated electronically on 28 June 2024.

MATTER DETERMINED

PPSWES-133 - DA2022/029 – Carrathool, 439 WILTSHIRE ROAD RANKINS SPRINGS, Continued Operation and Expansion of Existing Western Riverina Quarry involving the extraction and processing of up to 250,000 tonnes of quarry products per annum over a 30-year period.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings listed at item 8 in Schedule 1.

The Panel determined to grant consent to the development application pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined below and in Council's Assessment Report.

CONDITIONS

The Development Application was approved subject to the conditions in Council's Assessment Report but with minor amendments to Condition 17 parts (f), (g), (k) and (l), Condition 28 and Condition 32.

The Panel noted that sealing of the Quarry Access Road may require the landowner's prior approval.

Condition 17 parts (f), (g), (k) and (l) are amended to read as follows –

17(f) record keeping including any proposal to keep log books of truck journeys and complaints. Such records are to include date and time of any complaints or monitoring; name of person making the complaint, if given; outcome and steps taken to remediate any investigation relating to a complaint or monitoring. The record book is to be kept on site at all times and made available to authorised officers of Council or the EPA as required. Carrathool Shire Council is to be notified of the outcome of any investigations or breaches.

17(g) a Driver Code of Conduct that applies to all employees of the quarry, not only relating to heavy vehicle operators, is to be prepared and submitted to Council. The Code is to include, but not be limited to, matters such as use of mobile phones, driving in adverse weather conditions, awareness of animal strikes on roads, driver fatigue and the restriction of haulage being only approved via the Quarry Access Road and Munros Road to the Mid-Western Highway.

17(k) installation of a "GIVE WAY" sign facing drivers exiting the Quarry Access Road at its intersection with Munros Road.

17(l) continued dust suppression within the site and on the unsealed portion of the Quarry Access Road for the life of the project.

Condition 28 is amended to read as follows –

28. The Quarry Access Road must be bitumen sealed from its intersection with Munros Road for a distance of 2km and the entire Quarry Access Road must be maintained in a condition that prevents or minimises the emission into the air of air pollutants (e.g. dust) to the Council's satisfaction for the life of the project.

Conditions 32.(b) and 32(d) are amended to read as follows –

32.(b) Appropriate dust control measures, including water cart treatment of the unsealed portion of the Quarry Access Road, to the Council's satisfaction for the life of the project;





32.(d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

32.(e) All waste, with the exception of topsoil to be re-used, generated on site shall be disposed of to a licensed waste disposal facility.

REASON – To ensure the provision of adequate dust and sediment controls, sanitary facilities and waste disposal, and to prevent the quarry and its operations from impacting the surrounding area

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the 1 written submission made during public exhibition. The Panel notes the submission raises concerns relating to dust and drainage/runoff management. The Panel has considered the concerns raised and considers that the concerns have been adequately addressed in the Assessment Report and by the conditions of consent.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Graham Brown
 Donna Rygate	 Rick Warren

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	PPSWES-133 - DA2022/029 – Carrathool
2	PROPOSED DEVELOPMENT	Continued Operation and Expansion of Existing Western Riverina Quarry involving the extraction and processing of up to 250,000 tonnes of quarry products per annum over a 30-year period
3	STREET ADDRESS	439 WILTSHIRE ROAD RANKINS SPRINGS
4	APPLICANT/OWNER	Applicant: Ms Tracey Cotter Owner: E.B. Mawson & Sons P
5	TYPE OF REGIONAL DEVELOPMENT	Designated Development - Extractive Industry
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Carrathool Local Environmental Plan 2012. • Draft environmental planning instruments: Nil • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • State Environmental Planning Policy (Planning Systems) 2021; • State Environmental Policy (Resources and Energy) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021; • State Environmental Planning Policy (Primary Production) 2021 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council Assessment Report: June 2024 • Written submissions during public exhibition: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • 23 April 2024 - Briefing <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding - Chair, Donna Rygate, Graham Brown ○ <u>Council assessment staff</u>: Jason Nicholson • Final briefing to discuss council's recommendation: 16 July 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding - Chair, Donna Rygate, Graham Brown, Rick Warren ○ <u>Council assessment staff</u>: Jason Nicholson ○ <u>Applicant</u>: Tracey Cotter, R W Corkery
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report, as amended.